



MIAMI BEACH

City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive

April 11, 2012

Mayor Matti Herrera Bower
Vice-Mayor Jerry Libbin
Commissioner Jorge R. Exposito
Commissioner Michael Góngora
Commissioner Edward L. Tobin
Commissioner Deede Weithorn
Commissioner Jonah Wolfson

City Manager Jorge M. Gonzalez
City Attorney Jose Smith
City Clerk Robert E. Parcher

Visit us at www.miamibeachfl.gov for agendas and video "streaming" of City Commission Meetings.

ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Special note: In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to the alternate meeting date which will only be held if needed. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.

Call to Order - 9:00 a.m.
Inspirational Message, Pledge of Allegiance
Requests for Additions, Withdrawals, and Deferrals

The City Commission will recess for lunch at approximately 1:00 p.m.

Presentations and Awards

PA Presentations and Awards

Consent Agenda

C2 Competitive Bid Reports
C4 Commission Committee Assignments
C6 Commission Committee Reports
C7 Resolutions

Regular Agenda

R2 Competitive Bid Reports
R5 Ordinances
R7 Resolutions
R9 New Business & Commission Requests
R10 City Attorney Reports

Reports and Informational Items

Presentations and Awards

- PA1 Certificate Of Appreciation To Be Presented To The Miami Beach Police Department's Officer Of The Month For January And February 2012.
(Requested by Commissioner Jorge R. Exposito)
- PA2 Certificate of Recognition To Be Presented To Rabbi Solomon Schiff For His Lifetime Achievements.
(Requested by Commissioner Jorge R. Exposito)
- PA3 Certificate Of Recognition To Be Presented To The Parks And Recreation Department For Receiving Three (3) Community Recognitions.
(Requested By Commissioner Jorge R. Exposito)
- PA4 Proclamation Declaring Earth Week For The City Of Miami Beach Beginning On April 21, Earth Day.
(Requested by Commissioner Michael Góngora)
- PA5 Certificates Of Recognition To Be Presented To Jose Alberto, Captain Mark Causey And Lieutenant Eduardo Yero For Their Hard Work And Dedication To Increased Enforcement Resulting In The Cleanliness Of Our Beaches.
(Requested by Commissioner Michael Góngora)
- PA6 Proclamation To Be Presented To Bioplanet USA And To Women's International Zionist Organization And A Certificate To John Oldenburg For Their Participation In The Women's International Zionist Organization (WIZO) Tree Planting Event That Took Place On February 5th.
(Requested by Commissioner Deede Weithorn)
(Deferred from March 21, 2012)
- PA7 Presentation Of A Check To The City Of Miami Beach From The Chamber Of Commerce's Education Foundation For Support Of The City's IB Program.
(Requested by Vice-Mayor Jerry Libbin)
- PA8 Certificates Of Recognition To Be Presented To Lucy Ovale, Participant And Her Employer, The Little Havana Activities & Nutrition Center, UNIDAD's Senior Placement Program.
(Requested by Commissioner Jonah Wolfson)
- PA9 Certificate Of Appreciation To Be Presented To Department Of Children & Families, Miami Beach Office.
(Requested by Commissioner Jonah Wolfson)

CONSENT AGENDA

Action:
Moved:
Seconded:
Vote:

C2 - Competitive Bid Reports

- C2A Request For Approval To Purchase Twelve (12), Honda Four Trax Rubicon All Terrain Vehicles From G, J & L Inc., Pursuant To Invitation To Bid (ITB) No. 31-11/12, In The Amount Of \$93,096.00 And One (1) 2012 Ford E-450 Evidence Collection Vehicle, Pursuant To General Services Administration Contract No. GS-07f-9464G, In The Amount Of \$147,547.72.
(Fleet Management)
- C2B Request For Approval To Award Contracts To The Lowest And Best Bidders Per Group As Follows: 1) Sharp Business Systems, For Group I - Lease Of Copiers, In The Estimated Annual Amount Of \$41,716.80 For Fiscal Year 2011/2012, And \$125,150.40 Annually For Subsequent Fiscal Years; 2) Canon Business Solutions, For Group II - Production Printing Equipment, In The Estimated Annual Amount Of \$29,654.32 For Fiscal Year 2011/2012, And \$88,962.96 Annually For Subsequent Fiscal Years, Pursuant To Invitation To Bid No. 1-11/12, For The Lease Of Copiers And Production Printing Equipment.
(Procurement)
- C2C Request For Approval To Award Contracts To AAA Automated Door Repair, Inc., Best Garage Doors, Inc., And Dash Door And Closer Service, Inc., Pursuant To Invitation To Bid (ITB) No. 9-11/12, For Door Related Repair And Replacement Services, In The Annual Estimated Amount Of \$32,000 For Fiscal Year 2011/2012, And \$75,000 Annually For Subsequent Fiscal Years.
(Public Works/Procurement)

C4 - Commission Committee Assignments

- C4A Referral To The Finance And Citywide Projects Committee - Discussion Regarding The Issuance Of A Request For Proposals (RFP) For The Management And Operation Of Street Markets In Miami Beach At Various Locations.
(Real Estate, Housing & Community Development)
- C4B Referral To The Land Use And Development Committee - Consideration Of A One Year Trial Period For The Serving Of Alcohol At Club Madonna Followed By A Review Of The Issue Upon The Sunset Of The Trial Period In Exchange Of Agreed Improvements To The Facade Of The Business And Public Benefits To Neighboring Educational Institutions.
(Requested by Commissioner Deede Weithorn)

C4 - Commission Committee Assignments (Continued)

- C4C Referral To The Land Use And Development Committee - Request From The City Attorney's Oversight Committee To Discuss Amendment To Section 30-36, Appointment Of Chief Special Master.
(City Attorney's Office)
- C4D Referral To The Planning Board - RM-3 Regulations Concerning Attached And Detached Additions To Buildings In The Architectural District.
(Requested by Commissioner Edward L. Tobin)
(Legislative Tracking: Planning Department)
- C4E Referral To The Planning Board - Current City Code Chapter 6-4 (3) Relating To Alcoholic Beverage Sales That Requires A 300 Foot Distance Between Liquor Stores And Ask That The City Look Into Adopting The County Requirement Of 1500 Feet.
(Requested by Commissioner Jorge R. Exposito)
(Legislative Tracking: Planning Department)
- C4F Referral To The Finance And Citywide Projects Committee - Discussion Regarding A City Code Amendment To Establish The Position Of A Condominium Ombudsman In The City Of Miami Beach.
(Requested By Vice-Mayor Jerry Libbin)
- C4G Referral To The Sustainability Committee - Discussion Regarding A Resolution Directing City Employees Not To Permit City Vehicles To Remain Idling While Unattended.
(Requested by Commissioner Michael Góngora)

C6 - Commission Committee Reports

- C6A Report Of The Capital Improvement Projects Oversight Committee Meeting On February 6, 2012: **1)** Attendance. **2)** Review And Acceptance Of Minutes. **3)** Accomplishments: Substantial Completion Of Star Island Project. **4)** Public Comments. **5)** Old Business/Requested Reports: **5A)** Status Report: Normandy Isle; **5B)** Discussion: Biscayne Point Neighborhood Project; **5C)** Status Report: Sunset Island I & II; **5D)** Status Report: Sunset Island III & IV; **5E)** Status Report: Lower North Bay Road; **5F)** Status Report: Venetian Island; **5G)** Status Report: Palm & Hibiscus Island Undergrounding; **6)** Commission Items: **6A)** Palm & Hibiscus Neighborhood Improvement Project; **6B)** Star Island Right-Of-Way Infrastructure Improvement Project; **6C)** City Center Right-Of-Way Neighborhood Improvement Project; **6D)** South Pointe Pier Project.

C6 - Commission Committee Reports (Continued)

- C6B Report Of The Neighborhood/Community Affairs Committee Meeting On March 27, 2012: **1)** Status Update Regarding Sunrise Plaza And Beachwalk. **2)** Discussion Regarding Regulating The Speed Of Segways In Pedestrian Areas. **3)** Discussion Regarding Licensing And Authorization Requirements For Mobile Food Trucks And Proposal For A City Sponsored Food Truck Festival. **4)** Follow-Up Discussion Regarding Potential Policies For The Nomination/ Number Of Monuments Or Memorial Plaques. **5)** Discussion Regarding Amending The City Code To Provide For Alternative Enforcement Means And Establish A Fixed Fine Schedule For Certain Provisions. **6)** Discussion Regarding A Draft Ordinance That Regulates Private Parking Lots Or Facilities With Automated Pay Machines. **7)** Discussion Regarding Communications About The Progress Of Projects And Construction To The Local Residents. **8)** Discussion Regarding The Naming Of The Street Corner At 69th Street And Indian Creek, Across From Fire Station 4 After Firefighter Leonard Rubin, Who Died In A Fire At The Carillon Hotel In March Of 1962. **9)** Discussion Regarding Two Proposals For Charter Amendments That Would Strengthen The Existing Protections For Historic Preservation In Miami Beach. **9A)** Shall The Charter Be Amended So That, After November 6, 2012, And Before Becoming Effective, Any Change To Chapter 118, Article II, Division 4 Of The City Code (Entitled, "Historic Preservation Board"), Or To Chapter 118, Article X, Of The Code (Historic Preservation"), Which Either Reduces The Powers And Duties Of The Board, Or Creates Less Stringent Historic Preservation Standards Or Regulations, First Be Approved By A Majority Of Voters In A Citywide Election? **9B)** Shall The Charter Be Amended So That, After November 6, 2012, And Before Becoming Effective, Any Change To The Land Development Regulations In The City Code, Except For City-Owned Property In The Government Use And Civic And Convention Center Zoning Districts, Which Allows Increased Building Heights Shall First Be Approved By A Majority Of Voters In A Citywide Election? **10)** Discussion Regarding Creating A Clear Mission Statement For The Proposed Ad Hoc Tennis Committee. **11)** Discussion Regarding The Byron Carlyle Theater And The Stage Door Theater.

C6 - Commission Committee Reports (Continued)

- C6C Report Of The Land Use And Development Committee Meeting On March 28, 2012: **1)** Discussion On The Parking Requirement And How We Can Incentivize For Good Hotel Development. **2)** Discussion Of Jurisdiction Of Land Use Boards Over Appeals. **3)** Discussion Of Procedures For Obtaining Informal Opinions And Formal Administrative Determinations From The Planning Director. **4A)** Discussion On A Possible Amendment To The Accessory Use Regulations For The RM-2 Zoning District To Permit A Limited Number Of Commercial Accessory Uses In An Apartment Building Adjacent To A Public Baywalk To Be Open To The Public. **4B)** Discussion Regarding The Baywalk Conservation District Proposal Put Forth By Members Of The Lincoln West Neighborhood Association. **5A)** 1. Historic Preservation Regulations; 2. Height Restrictions. **5B)** Discussion On A Proposal To Put The Historic Preservation Board Enabling Language In Charter So As To Protect The Composition And Existence Of Our City's Preservation Mechanism. **6)** Discussion On Artificial Grass At Hotels And Homes And The Planning Department Procedure For Approving Same. **7)** Discussion Regarding A Resolution By The Historic Preservation Board To Modify The Code Governing The Voluntary Designation Of Single Family Homes. **8)** Discussion Of The RM-3 Regulations Concerning Attached And Detached Additions To Buildings In The Architectural District. **9)** Discussion Of The Miami Beach Current City Code Chapter 6-4 (3) Relating To Alcoholic Beverage Sales That Requires A 300 Foot Distance Between Liquor Stores And Ask That The City Look Into Adopting The County Requirement Of 1500 Feet. **10)** Use Of Legal Nonconforming Commercial Building In Single-Family Districts. **11)** Discussion Concerning The Terminal Island Traffic Study And Circulation Study. **12)** Discussion On Ways To Enhance The Land Use Boards Of Miami Beach In Order To Improve The City Of Miami Beach Building And Planning Department Processes.

C7 - Resolutions

- C7A A Resolution Approving And Authorizing The City Manager Or His Designee To Submit The Following Applications: 1) Edward Byrne Memorial Justice Assistance Grant (JAG) Program, American Recovery And Reinvestment Act Funding, For The Miami-Dade County Association Of Chiefs Of Police Countywide Prisoner Processing Project Funds In The Approximate Amount Of \$18,000 For An Interface Component For The City's Computer Aided Dispatch Records Management System (CAD/RMS); And Retroactively To 2) Florida Department Of Agriculture And Consumer Services, Urban Forestry Program, In The Approximate Amount Of \$10,000 For Tree Plantings; And, 3) USA Football For Funding In The Approximate Amount Of \$50,000 For Flamingo Park Football Field; Appropriating The Above Funds, If Approved And Accepted By The City, And Authorizing The Execution Of All Necessary Documents Related To These Applications.
(Budget & Performance Improvement)
- C7B A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms, Pursuant To Request For Qualifications (RFQ) No. 17-11/12, For Citywide Geotechnical And Laboratory Testing Services On An As-Needed Basis; Authorizing The Administration To Enter Into Negotiations With The Six (6) Top-Ranked Proposers: GFA International, Inc., Wingerter Laboratories, Inc., Universal Engineering Sciences, Inc., Langan Engineering And Environmental, LLC, Radise International, LC. And HP Consultants, Inc.; And Further Authorizing The Mayor And City Clerk To Execute Agreements Upon Completion Of Successful Negotiations By The Administration.
(Capital Improvement Projects/Public Works/Procurement)
- C7C A Resolution Approving Pursuant To Section 2-367(d) Of The Miami Beach City Code And Resolution 2005-25959, The Sole Source Purchase And Installation Of Parking Equipment For The Sunset Harbor Parking Garage From Consolidated Parking Equipment, In The Not To Exceed Amount Of \$350,291.51 From Previously Appropriated Funds From 2010 Parking Bonds Fund 486.
(Capital Improvement Projects)
- C7D A Resolution Setting A Public Hearing, Pursuant To Section 118-262 Of The City Code, For The City Manager's Appeal Of The Design Review Board's Order Relative To DRB File No. 22894 For The Property Located At 1 Washington Avenue - South Pointe Park And Setting Said Public Hearing For The City Commission Meeting Of May 9, 2012.
(Parks & Recreation/City Attorney's Office)
- C7E A Resolution Authorizing The City Manager To Submit An Application For Designation By The East Coast Greenway Alliance (ECGA) Of The Beachwalk And Cutwalk Sections Of The Atlantic Greenway Network (AGN) As Part Of The East Coast Greenway (ECG) Trail System, Extending From Key West To The Maine/Canada Border.
(Public Works)

C7 - Resolutions (Continued)

- C7F A Resolution Setting A Public Hearing On May 9, 2012, City Commission Meeting, To Consider Granting A Revocable Permit To Bay Road Outparcel Partners, LLC, And Bay Road Partners 1930 LLC, As Owner Of The Property Located At 1916 Bay Road, To Allow A Decorative Metal “Eyebrow” To Extend 4 Feet Into And 48 Feet Along The Public Right-Of-Way A Minimum Of 11.5 Feet Above The Sidewalk.
- (Public Works)

- C7G A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee And Approving And Authorizing The City Manager To Execute A Letter Of Agreement Between The City And MCH Swiss Exhibition LTD (MCH), Outlining Terms And Conditions For Use Of Certain Public Property During Art Basel Miami Beach, And For The Establishment Of An “Art Basel Zone.”
- (Tourism & Cultural Development)

- C7H A Resolution Accepting The Recommendation Of The Neighborhoods And Community Affairs Committee And Approving A Letter Of Agreement Between Broward Stage Door Theater Company, Inc., The City’s Operator For The Byron Carlyle Theater (Facility) Pursuant To That Certain Management Agreement, Dated April 13, 2011 (Stage Door), And Miami Stage Company/Miami Children’s Theater, Inc. (MCT), To Allow MCT To Use A Portion Of The Facility For More Than Sixty (60) Days; And Further Allowing MCT To Hold Private And Group Lessons In Theater, Acting, Singing, Dance And Related Activities, And A Summer Camp.
- (Tourism & Cultural Development)

- C7I A Resolution Authorizing The Acceptance Of A Twenty Thousand Dollar (\$20,000) Donation From The Miami Beach Arts Trust Resulting From The Proceeds Of The Second Annual Miami Beach Arts Gala; And Appropriating Said Funds For The Arts Gala Grants Program Which Will Be Administered By The Cultural Arts Council Consistent With The City’s Established Policies And Procedures; And Authorizing The City Manager To Retroactively Approve The Cultural Arts Council’s Funding Recommendations Made On March 1, 2012 And Awarding \$20,000 In Miami Beach Arts Gala Grants For Fiscal Year 2011/12, As Identified In The Attached Exhibit “A”; And Further Authorizing The Mayor And City Clerk To Execute Said Agreements.
- (Tourism & Cultural Development)

- C7J A Resolution Accepting A Donation In The Amount Of \$9,000.00 From The Miami Beach Education Foundation From Proceeds Of The Miami Beach Chamber Of Commerce’s Annual Golf Tournament To Be Utilized By The City Of Miami Beach’s International Baccalaureate (IB) Educational Program.
- (Requested by Vice-Mayor Jerry Libbin)
(Legislative Tracking: City Attorney’s Office)

C7 - Resolutions (Continued)

- C7K A Resolution Appointing _____ As The City Of Miami Beach Representative For Membership On The Miami-Dade County Charter Review Task Force.
(City Attorney's Office)

End of Consent Agenda

REGULAR AGENDA

R5 - Ordinances

- R5A An Ordinance Amending The Following Chapters In The Code Of The City Of Miami Beach To Provide Civil Enforcement And Penalty Provisions To Replace Criminal Misdemeanor Enforcement And Penalty Provisions As Follows: Amending Chapter 70 Entitled "Miscellaneous Offenses," By Amending Article I, Entitled "In General," By Amending Section 70-6, Entitled "Penalties," To Provide Civil Penalties And Special Master Enforcement Provisions Relative To The Prohibitions In Chapter 70, Except For Violations Of Section 70-3 Entitled "Vibration"; By Amending Chapter 74 Of The Miami Beach City Code Entitled "Peddlers And Solicitors," By Amending Article I, Entitled "In General," By Amending Section 74-1 Entitled "Soliciting Business In Public From Pedestrians," By Providing That The Solicitation Of Any Food, Beverage Or Service Is Also A Prohibited Activity And Providing Civil Penalties And Special Master Enforcement Provisions; By Amending Chapter 82 Of The Miami Beach City Code Entitled "Public Property," By Amending Article I, Entitled "In General," By Amending Section 82-1, Entitled "Conducting Business On Streets, Parks Or Other Public Property," By Providing Civil Penalties And Special Master Enforcement Provisions; Providing For Repealer; Severability; Codification; And An Effective Date. **10:15 a.m. Second Reading Public Hearing**

(Requested by Finance & Citywide Projects And Neighborhood/Community Affairs Committees)
(Legislative Tracking: Building Department)
(First Reading on March 21, 2012)

- R5B An Ordinance Amending The Code Of The City Of Miami Beach By Amending Chapter 2, Entitled "Administration," By Amending Article III, Entitled "Agencies, Boards And Committees," By Amending Division 2, Entitled "Disability Access Committee," By Amending Sec. 2-31(D) To Increase The Number Of Members From Seven (7) To Fourteen (14) And Amending The Quorum Requirement; Providing For Codification, Repealer, Severability, An Effective Date, And A Sunset Date. **10:20 a.m. Second Reading Public Hearing**

(Requested by Commissioner Jonah Wolfson)
(Legislative Tracking: Public Works)
(First Reading on March 21, 2012)

- R5C Noticing Requirements For Continuances By Land Use Boards
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 118, "Administrative And Review Procedures," Article II, "Boards," Division 5, "Board Of Adjustment," Section 118-134, "Notification Of Hearings;" Article IV, "Conditional Use Procedure," Section 118-193 "Applications For Conditional Uses"; Article VI, "Design Review Procedures;" Article X, "Historic Preservation;" And Article XI "Neighborhood Conservation Districts (NCD);" To Clarify That Continuances Shall Be Noticed By Mail And Newspaper After The First Continuance Granted By A Land Use Board; Providing For Repealer; Codification; Severability And An Effective Date. **10:30 a.m. Second Reading Public Hearing**

(Requested by Commissioner Jonah Wolfson)
(Legislative Tracking: Planning Department)
(Continued from March 21, 2012)

R5 - Ordinances (Continued)

R5D Short Term Rental Of Apartment Units Or Townhomes

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142 Of The City Code, "Zoning Districts And Regulations," Article IV, "Supplementary District Regulations," Division 3, "Supplementary Use Regulations," By Amending Section 142-1111, "Short Term Rental Of Apartment Units Or Townhomes," To Allow An Extension Of Time For Applications Due To Governmental Error; Providing For Repealer, Severability, Codification, And An Effective Date. **10:45 a.m. Second Reading Public Hearing**

(Requested by Commissioner Jorge R. Exposito)

(Legislative Tracking: Planning Department)

(Continued from March 21, 2012)

R5E An Ordinance Amending Chapter 46 Of The Miami Beach City Code, Entitled "Environment," By Amending Article III Thereof, Entitled "Litter," By Amending Section 46-92 To Provide Comprehensive Amendments Thereto By Amending The Definition Of Litter And The Litter Prohibition Provisions In Subsections (A) And (B); Prohibiting Styrofoam Products And Plastic Straws On City Beaches; Re-Lettering And Renaming Existing Provisions In Subsections (A) Through (O) For Ease Of Reference And Creating New Provisions In Subsection (G) To Provide Prohibitions On The Distribution Of Commercial Handbills: A) In The Art Deco Historic District During High Impact Periods In The City; B) Within 20 Feet Of Sidewalk Cafes; And C) On City Beaches East Of The Dunes, Providing Fines And Penalties For The Violation Of Subsection (G) In The Re-Lettered Subsection (H); And Providing For Repealer; Severability; Codification; And An Effective Date. **11:00 a.m. Second Reading Public Hearing**

(Requested by Vice-Mayor Jerry Libbin, Commissioners Jorge R. Exposito and Deede Weithorn)

(Legislative Tracking: Code Compliance)

(First Reading on March 21, 2012)

R5F1 AFSCME Local 1554 Cost-Of-Living Adjustment (COLA)

An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance Of The City Of Miami Beach, Florida, As Follows: Providing For The Classifications In Group I, Represented By The American Federation Of State, County And Municipal Employees (AFSCME) Local 1554, In Accordance With The Negotiated Collective Bargaining Agreement, Effective The First Full Pay Period Ending April 2012, An Across The Board Cost-Of-Living Adjustment (COLA) Of Three Percent (3%) And A Three Percent (3%) Increase To The Minimum And Maximum Of Each Pay Range; Repealing All Ordinances In Conflict; Providing For Severability, An Effective Date And Codification. **11:30 a.m. Second Reading Public Hearing**

(Included in Collective Bargaining Agreements & Approved by the City Commission in 2010)

(Legislative Tracking: Human Resources)

(First Reading on March 21, 2012)

R5 - Ordinances (Continued)

R5F2 FOP William Nichols Lodge No. 8 Cost-Of-Living Adjustment (COLA)

An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance Of The City Of Miami Beach, Florida, As Follows: Providing For The Classifications In Group II, Represented By The Fraternal Order Of Police (FOP) William Nichols Lodge No. 8, In Accordance With The Negotiated Collective Bargaining Agreement, Effective The First Full Pay Period Ending April 2012, An Across The Board Cost-Of-Living Adjustment (COLA) Of Three Percent (3%) And A Three Percent (3%) Increase To The Minimum And Maximum Of Each FOP Pay Range; Repealing All Ordinances In Conflict; Providing For Severability, An Effective Date And Codification. **11:31 a.m. Second Reading Public Hearing**

(Included in Collective Bargaining Agreements & Approved by the City Commission in 2010)

(Legislative Tracking: Human Resources)

(First Reading on March 21, 2012)

R5F3 IAFF Local 1510 Cost-Of-Living Adjustment (COLA)

An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance Of The City Of Miami Beach, Florida, As Follows: Providing For The Classifications In Group III, Represented By The International Association Of Firefighters (IAFF) Local 1510, In Accordance With The Negotiated Collective Bargaining Agreement, Effective The First Full Pay Period Ending April 2012, An Across The Board Cost-Of-Living Adjustment (COLA) Of Three Percent (3%) And A Three Percent (3%) Increase To The Minimum And Maximum Of Each IAFF Pay Range; Repealing All Ordinances In Conflict; Providing For Severability, An Effective Date And Codification. **11:32 a.m. Second Reading Public Hearing**

(Included in Collective Bargaining Agreements & Approved by the City Commission in 2010)

(Legislative Tracking: Human Resources)

(First Reading on March 21, 2012)

R5F4 CWA Local 3178 Cost-Of-Living Adjustment (COLA)

An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance Of The City Of Miami Beach, Florida, As Follows: Providing For The Classifications In Group IV, Represented By The Communications Workers Of America (CWA) Local 3178, In Accordance With The Negotiated Collective Bargaining Agreement, Effective The First Full Pay Period Ending April 2012, An Across The Board Cost-Of-Living Adjustment (COLA) Of Three Percent (3%) And A Three Percent (3%) Increase To The Minimum And Maximum Of Each Pay Range; Repealing All Ordinances In Conflict; Providing For Severability, An Effective Date And Codification.

11:33 a.m. Second Reading Public Hearing

(Included in Collective Bargaining Agreements & Approved by the City Commission in 2010)

(Legislative Tracking: Human Resources)

(First Reading on March 21, 2012)

R5 - Ordinances (Continued)

- R5F5 GSAF, OPEIU, Local 100 Cost-Of-Living Adjustment (COLA)
An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance Of The City Of Miami Beach, Florida, As Follows: Providing For The Classifications In Group V, Represented By The Government Supervisors Association Of Florida (GSAF), OPEIU, Local 100, In Accordance With The Negotiated Collective Bargaining Agreement, Effective The First Full Pay Period Ending April 2012, An Across The Board Cost-Of-Living Adjustment (COLA) Of Three Percent (3%) And A Three Percent (3%) Increase To The Minimum And Maximum Of Each Pay Range; Repealing All Ordinances In Conflict; Providing For Severability, An Effective Date And Codification. **11:34 a.m. Second Reading Public Hearing**
(Included in Collective Bargaining Agreements & Approved by the City Commission in 2010)
(Legislative Tracking: Human Resources)
(First Reading on March 21, 2012)
- R5G Vacant Storefront Screens And Signs
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 138, Entitled "Signs", By Amending Article IV, Entitled "Temporary Signs", By Creating A New Section 138-140, Entitled "Vacant Storefront Screens And Signs," Providing For Repealer, Codification, Severability And An Effective Date. **First Reading**
(Requested By Vice-Mayor Jerry Libbin)
(Legislative Tracking: Planning Department)
(Deferred from March 21, 2012)
- R5H Rooftop Small Wind Turbines
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142 Of The City Code, "Zoning Districts And Regulations," Article II, "District Regulations," Division 2, RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts, Section 142-105(e), "Height Restrictions," By Amending The Height Regulation Exceptions To Permit Small Roof Wind Turbines Up To 10 Feet Above The Main Roofline; And Amending Article IV, "Supplementary District Regulations," Division 5, "Height Regulations," By Amending Section 142-1161," To Permit Roof Wind Turbines Subject To Certain Restrictions And Conditions; Providing For Repealer, Severability, Codification, And An Effective Date. **First Reading**
(Requested by Commissioner Edward L. Tobin)
(Legislative Tracking: Planning Department)
(Deferred from March 21, 2012)
- R5I Board Member Qualifications And Categories
An Ordinance Amending The Land Development Regulations Of The City Code By Amending Chapter 118, "Administrative And Review Procedures," Article II, "Boards," Division 2, "Planning Board," Section 118-53, "Composition;" Division 3, "Design Review Board," Section 118-72, "Membership;" Division 4, "Historic Preservation Board," Section 118-103, "Membership;" And 118-104, "Appointment;" Division 5, "Board Of Adjustment," Section 118-131, "Membership," To Clarify The Qualifications And Categories Of Members To Be Appointed To The City's Land Use Boards; Providing For Repealer; Codification; Severability And An Effective Date. **First Reading**
(Requested By City Commission)
(Legislative Tracking: Planning Department)

R5 - Ordinances (Continued)

- R5J An Ordinance Amending Chapter 12 Of The Miami Beach City Code, Entitled "Arts, Culture And Entertainment," By Amending Article II Thereof, Entitled "Special Events," By Amending Section 12-5, "Special Events Permits" To Provide Clarification To Special Event Applicants Under Provision (5); By Providing Enforcement And Penalties For The Violation Of Section 12-5 As Set Forth In Provision (9); And Providing For Repealer, Codification, Severability, And An Effective Date. **First Reading**

(Requested by the Neighborhood/Community Affairs Committee)

(Legislative Tracking: Tourism & Cultural Development)

R7 - Resolutions

- R7A A Resolution Approving And Accepting, Following A Duly Noticed Public Hearing As Required Pursuant To Section 82-504 Of The City Code, The Recommendation Of The Neighborhood And Community Affairs Committee To Erect A Memorial Honoring Barbara Capitman, In The Form Of A Bronze Bust Resting On A Terrazzo Plinth, To Be Installed In Lummus Park. **11:15 a.m. Public Hearing**

(Requested by Mayor Matti Herrera Bower)

(Legislative Tracking: Parks & Recreation)

- R7B A Resolution Taking The Following Actions With Respect To That Certain City Capital Project Pertaining To The Undergrounding Of Overhead Utilities On Hibiscus Island: 1.) Approving, In Substantial Form (As Attached Hereto) And, Once Finalized, Authorizing The City Manager And City Clerk To Execute An Interlocal Agreement With Miami-Dade County, Florida, Which Agreement Is Being Established For The Purpose Of The City Being Able To Bill The County For The Construction Costs Pertaining To The Undergrounding Project, Up To The Not To Exceed Construction Cost Allocated In The "Hibiscus Island Overhead Services Relocation Improvement Special Taxing District," In The Amount Of \$1,834,581 (With Such Construction Being Undertaken By The City, But With The City's Costs To Be Reimbursed By The County From The Aforestated District); And 2.) Approving, In Substantial Form (As Attached Hereto) And, Once Finalized, Authorizing The City Manager To Execute An Underground Facilities Conversion Agreement With Florida Power & Light (FPL), Pertaining To That Portion Of The Underground Conversion Project Involving The Construction/Installation Of The FPL Utilities, In The Amount Of \$434,418; Provided Further That The Costs Pertaining To The Construction And Installation Of The Undergrounding Project, In The Amount Of \$1,834,581, Shall Be Appropriated As An Advance From The City's Line Of Credit (LOC), To Be Reimbursed By The County Upon Approval And Execution Of The Interlocal Agreement.

(Capital Improvement Projects)

R7 - Resolutions (Continued)

- R7C A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms Pursuant To Request For Proposals (RFP) No. 46-10/11 For The Purchase And Installation Of New Multi-Space Pay Stations For The City's On-Street And Off-Street Parking Locations; Authorizing The Administration To Enter Into Negotiations With Top-Ranked Firm, Digital Payment Technologies Corporation, And Should The Administration Not Be Able To Negotiate An Agreement With The Top-Ranked Firm, Authorizing The Administration To Negotiate With The Second-Ranked Firm, Global Parking Solutions USA, LLC; And Further Appropriating Future Funds Through The Capital Budgeting Process; And Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon The Completion Of Successful Negotiations By The Administration.

(Parking/Procurement)

- R7D A Resolution Approving The Preferred Alternative (Alternative 2) For Development And Construction Of The West Avenue Bridge Project, As Presented In The Project Development And Environment Study (PD&E), And As Recommended By The City's Consultant, Gannett Fleming.

(Public Works)

- R7E A Resolution Accepting The Neighborhood/Community Affairs Committee's Recommendations On March 27, 2012 Regarding The Ad Hoc Tennis Committee's Mission Statement And, Further, Creating The Ad Hoc Tennis Committee With Said Mission Statement, And The Membership, Purpose, Duration, And Functions As Set Forth In This Resolution.

(Parks & Recreation/City Attorney's Office)

- R7F A Resolution Consenting To And Confirming The Appointment Of The New City Clerk For The City Of Miami Beach.

(Human Resources)

(Memorandum & Resolution to be Submitted in Supplemental)

R9 - New Business and Commission Requests

- R9A Board And Committee Appointments.

(City Clerk's Office)

- R9A1 Board And Committee Appointments - City Commission Appointments.

(City Clerk's Office)

- R9A2 Approve The Recommendation Of The Planning Board To Appoint Charlie Urstadt To Fill The Affordable Housing Advisory Committee Vacancy In Category Eight (8), Actively Serving On The Local Planning Agency Pursuant To Florida Statute § 163.3174 (Planning Board Member), Upon Approval By The City Commission.

(City Clerk's Office)

R9 - New Business and Commission Requests (Continued)

R9B1 Dr. Stanley Sutnick Citizen's Forum. (12:30 p.m.)

R9B2 Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)

R9C Discussion Regarding A Resolution To Encourage Miami-Dade County To Increase Collection Efforts Of Unpaid Parking Tickets.

(Requested by Commissioner Jorge R. Exposito)

R10 - City Attorney Reports

R10A City Attorney's Status Report.

(City Attorney Office)

Reports and Informational Items

Reports and Informational Items (see LTC No. 088-2012)

End of Regular Agenda